

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

ROSALIA SERRANO DIAZ, et al.,)
)
Plaintiff,)
)
v.)
)
QUALITY CRAB CO., INC. and WILLIAM)
E. BARCLIFT,)
)
Defendants.)

No. 2:10-CV-15-H

FILED IN OPEN COURT
ON 6/11/2013 DR
Julie A. Richards, Clerk
US District Court
Eastern District of NC

**ORDER GRANTING FINAL APPROVAL OF COLLECTIVE ACTION AND
CLASS ACTION SETTLEMENT**

This matter comes before the Court on the parties' Joint Motion for Final Approval of Class Action Settlement (D.E. 48) ("Joint Motion"). The Parties have jointly requested the Court to approve the Settlement Agreement ("Agreement") (D.E. 48-2) and have mutually agreed to the entry of this Order granting final approval of the Agreement.

Having reviewed the Joint Motion, Joint Memorandum in support thereof, and the Agreement, along with the other relevant portions of the record of this case, the Court now FINDS, CONCLUDES, DECREES and ORDERS as follows:

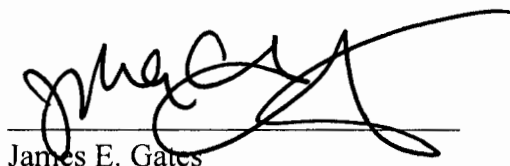
- (1) The Joint Motion is granted.
- (2) This Court has jurisdiction over the subject matter of the litigation and over all parties to this litigation, including all members of the certified class.
- (3) Neither the Agreement, nor this final approval order, nor the fact of a settlement, are an admission or concession by the Defendants of any liability or wrongdoing whatsoever.
- (4) Class Counsel have adequately represented Plaintiff class members to date.

(5) Plaintiff class members have been provided proper and adequate notice of the terms of the Agreement, as well as the applicable dates and procedure by which to submit any objections. No such objections to the terms of the Agreement, or the Agreement's final approval by this Court, have been received from any Plaintiff class member.

(6) The terms of the Agreement are hereby approved. The Court granted preliminary approval of the Agreement (*see* D.E. 45) and approval of the joint motion for class notice (*see* D.E. 46) on November 30, 2012, and Plaintiffs' counsel provided timely notice to the class. After holding a fairness hearing today, June 11, 2013, the Court finds that the Agreement is fair and adequate and a reasonable and equitable compromise of the claims in this case; that the Agreement is the result of extensive, arms-length bargaining between the parties, after Plaintiffs' counsel had investigated the class claims and become familiar with the strengths and weaknesses of the case; that the Agreement is in the best interest of the named Plaintiffs and of the class they have been certified to represent; that the Agreement falls within the range of reasonableness and of final approval; and that the Agreement should be approved for the additional reasons stated by the Court at the fairness hearing.

(7) Class Counsel shall be awarded the total sum of \$29,000.00 in attorneys' fees and costs, pursuant to Paragraph 9 of the Agreement, the court finding such award to be fair.

SO ORDERED, this 11 day of June 2013.

A handwritten signature in black ink, appearing to read 'James E. Gates', is written over a horizontal line.

James E. Gates
United States Magistrate Judge